

## **Lawsuit**

I am suing Twitter, Inc for a personal injury I Martrek D. Wingo suffered and the emotional distress and mental anguish before, during, and after my personal injury.

I had an incident with Twitter on June 6, 2014 it was strange and bizarre, after many sleepiness nights I was able to pull myself together. Then another event happened August 8, 2014 on Twitter that was worst causing me to go into Respiratory Shock, pass out, hit my mouth on the edge of my computer desk, and swallowed a broken piece of my wisdom tooth. I could have died. It felt like I was being linked to criminal intent without any real control.

I am not just focusing on the 90 day period; a message needs to be sent to the company that they need to fix this and I also look at the fact that it was borderline preventing me from my lifetime professional goals and potential future earnings.

Two separate personal incidents with almost daily disturbing content. Everyone expects celebrities, companies, entertainers, and professionals to have and maintain a twitter page.

Suing company for \$20 million about 60% of what Twitter makes in a 30 day period. (2013 figures) - Compensatory and Punitive damages to be determined by Jury.

Willing to settle out of court for 30% or any reasonable offers on the contingency/hope that a feature to unretweet (or at least make it no longer appear on your timeline) a twitter user and prevent certain users that post disturbing content from being able to retweet, favorite, and reply to your post for all users of your page. So that I can avoid future pain as I continue growing my career knowing that people will expect me to have a twitter page.

Twitter is a public company

### Twitter Financials

- 2013: \$398.17 Million
- 2012: \$188.17 Million
- 2011 \$44.51 Million
- Assets: \$992.80 million

**Source:** <http://www.marketwatch.com/investing/stock/twtr/financials> and <http://www.nasdaq.com/markets/ipos/company/twitter-inc-763922-73652?tab=financials>

### Solution

The comparable: On Facebook users can share anything you post (similar to retweets) but facebook Does Not allow pornography or any other disturbing content on its website at all. Twitter on the other hand currently allows indecent people to permanently connect to you; increasing the possibility of ruining a professional and business image as well as potential parental lack of control on their page. Some people do things unintentionally and then there are those that intentionally try to take notches at an individual or business.

For those that allow disturbing content on their page there should be a way to permanently block that type of user from my entire page.

What's different about Twitter is Twitter is viewed more on the professional end. I have seen more celebrities with Twitter pages than any other Social Media. **At this point most people expect certain celebrities, companies, entertainers, and professionals to have and maintain a Twitter page.**

The option to be able to permanently block users that post disturbing content from retweets, favorites, and replies that appear on your timeline not just from viewing by you but viewing by all users to your page.

It's a feature that does not exist on Twitter as of **8/11/2014**. Twitter is a publically traded company.

If it was a church website, the longer the disturbing content stayed on your page the more people can see it, i.e. children etc.

Can the feature be done and implemented in their website. Yes. As a previous web designer I know that to be a yes.

**Interesting thing about twitters current block feature is it's not fully blocking when people.**

**I originally thought that was the case its says "block". Other people may think it actually does but never took the time to look at their page from a non login or another person's account standpoint to see that no that user was not actually blocked the way they are having it perceived it will be. I discovered this partial blocking the hard way while looking at my page with a family member.**

### Twitters Help Page

Twitter does not remove content which I agree it should not and twitter does not allow for users the ability to remove it themselves if it appears on their page. They allow you to block users (which only affect your followers and direct messages) but then allow those same users to continue to inflame your page intentionally or unintentionally with retweets, favorites, and replies.

- Snippet from Twitters Terms and Service

#### **Offensive content**

Users are allowed to post content, including potentially inflammatory content, provided they do not violate the Twitter Rules and Terms of Service. Twitter does not screen content and does not remove potentially offensive content unless such content is in violation of the Twitter Rules and Terms of Service.

If you believe the content or behavior you are reporting is prohibited in your local jurisdiction, please contact your local authorities so they can accurately assess the content or behavior for possible violations of local law. If Twitter is contacted directly by law enforcement, we can work with them and provide assistance for their investigation as well as guidance around possible options. You can point local law enforcement to our Law Enforcement Guidelines.



Each person has different levels of comfort when it comes to disturbing content so the ability to block it helps. For example twitter has a mute option. If you want to mute someone from your timeline where that user you follow twitter timeline post no longer show until they are unmuted you can easily do so. Because of this feature no one can say they are stressed over trying to keep up with so many Twitter post; the ability to mute is there so the fault at trying to keep up with Twitter post falls back on the user. But with disturbing content there is no mute feature. My page shows that you can get disturbing content linked at the most PG rated post I make and excessive comments and disturbing content of the same nature can also fall on the side of harassment and cyber bullying.

Another option is to go into denial. Act like nothing is going on, on your page but overtime denial about something causing you that much pain and suffering will cause it to come to the surface and the source of the pain and suffering could be traced right back to their Twitter page.

Twitter talks about pornography, one form of obscene content, but does not allow you to block it from your pages retweets, favorites, and reply users.

- Snippet from Twitters Terms and Service

promising more followers (as on any other site that offers to automatically add followers to your account)

- **Pornography** You may not use obscene or pornographic images in either your profile photo, header photo, or user background

Your account may be suspended for Terms of Service violations if any of the above is true. Please see our help pages on [Following rules and best practices](#) and [Automation rules and best practices](#) for a more detailed discussion of how the Rules apply to those particular account behaviors. Accounts created to replace suspended accounts will be permanently suspended.

A kid going to a church website or a professional twitter page does not need to see gaping anal photos. While Twitter does not remove content, the creator of the Twitter page should be able to fully block any connection with that type of user.

This first came to mind when I got some of my first retweets and I went to see who it was and the first thing I saw was gaping anal with cereal in it and I blocked it. While using someone else's phone I saw that the retweet user was still there. I looked at it and realized it was only block from viewing on my page from my perception and not from my page entirely.

It's a fixable problem that could have been added long time ago. But Twitter has neglected to do so, thus far.

Can Twitter make this feature? Yes. Is it an easy feature to make? Yes. Can it prevent or limit people from seeing disturbing content on your page? Yes. Why has Twitter not done so? I do not know.

### Company – Twitter, Inc

#### Twitter usage

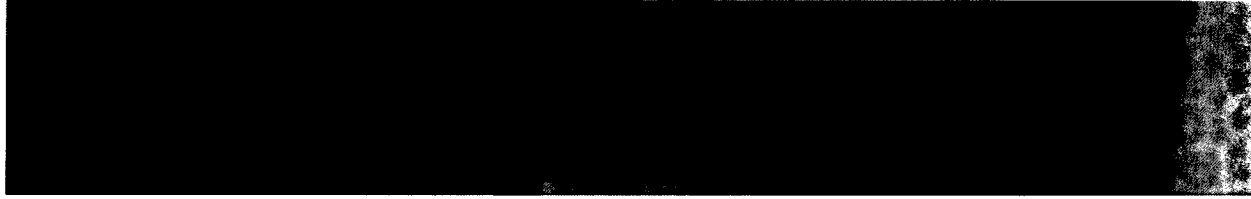
- 271 million monthly active users
- 500 million Tweets are sent per day
- 78% of Twitter active users are on mobile
- 77% of accounts are outside the U.S.
- Twitter supports 35+ languages
- Vine: More than 40 million users

#### Company facts

- 3,300 employees in offices around the world
- 50% of employees are engineers
- Incorporated April 19, 2007

## Retweets

If you're following the person you can turn retweets on and off on twitter



More ▾



**Following**

Tweet to @tyrabanks

Add or remove from lists...

Mute @tyrabanks

Block or Report

Turn off Retweets

Turn on mobile notifications

Embed this Profile

View all

Details

Statistics



Popular accounts · Find friends



1.08M

More ▾

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Following

Tweet to @JohnCMaxwell

Add or remove from lists...

Mute @JohnCMaxwell

Block or Report

Turn off Retweets

Turn on mobile notifications

Embed this Profile

View all

See more

Future N

Keep key

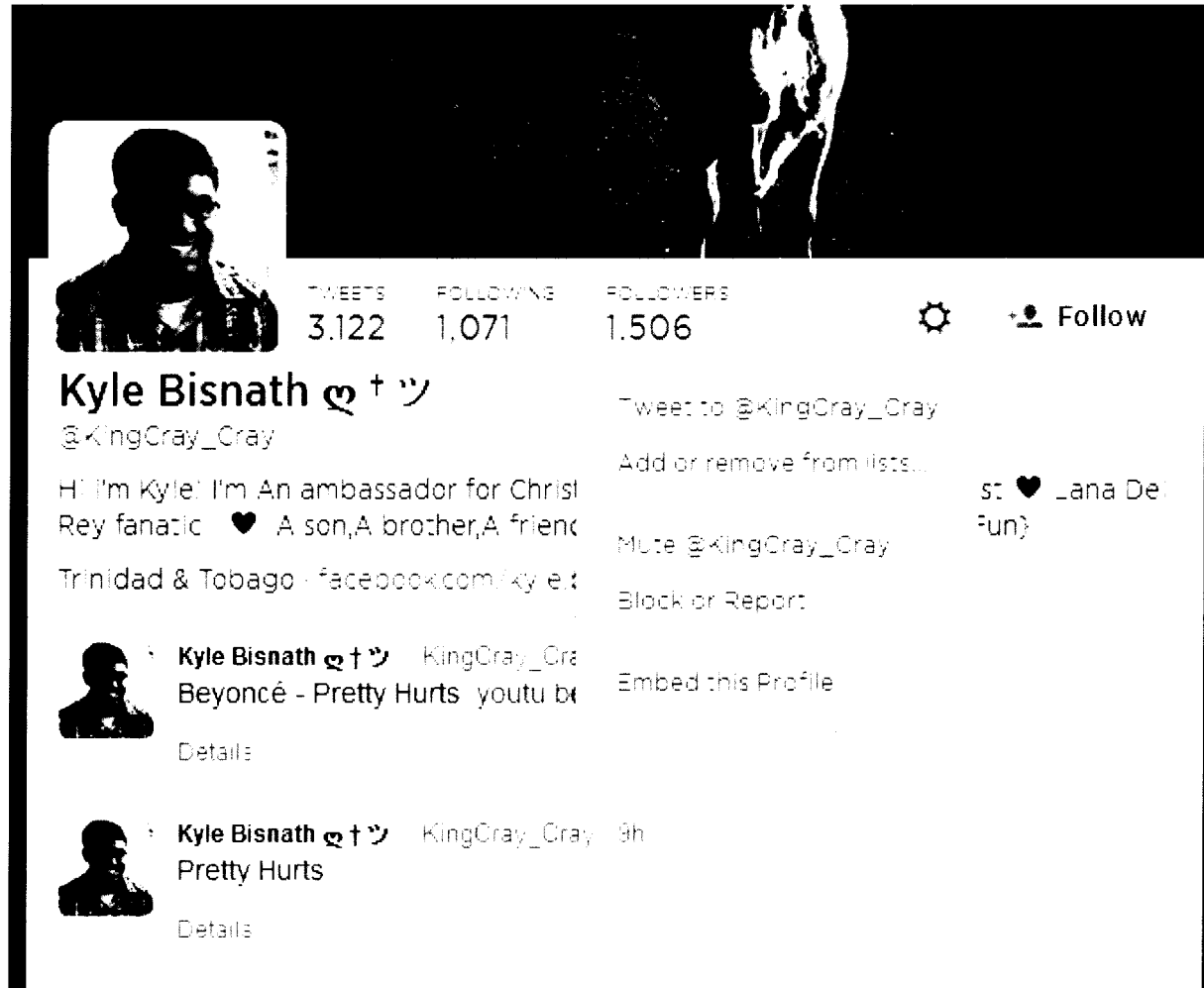
Repe

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essful Leaders" is live on

LO

Now look at the options if you're not following the person.



The ability to turn retweets on or off could be made available regardless if you're following the person or not. I do not want to follow disturbing content and try to limit it as much as possible.



### Vine

Twitter owns Vine a 7 sec video sharing app. It's similar to twitter but its focus is on video.

They have a different policy (almost forced new policy in my opinion only) for vine than for Twitter.

"Soon after its launch, Vine faced criticism for how it handled pornography; while porn is not forbidden by Twitter's guidelines,[24] one sexually explicit clip was accidentally featured as an "Editor's Pick" in the Vine app as a result of "human error".[25] Because pornographic content violates Apple's terms of service,[26] the app's rating was changed to 17+ in February 2013 following a request by Apple.[27] Causing such a backlash because of the "Editor's Pick", many Vine users said they would stop using the app. Twitter soon begun terminating such videos that appeared on the homepage. In reaction, Twitter has updated their Terms of Service stating that they reserve the right to remove any posts that are "pornographic or sexually explicit" without the user's consent." - Wikipedia

Disturbing video could be a no no on Vine but disturbing content and pornography is ok on Twitter.

Isn't video just pictures that move?

My complaint is not to outlaw disturbing content from Twitter. I just feel a way to outlaw it from a twitter page is necessary and users should have the right to block it fully if they so desire. The public has come to expect certain people to have and maintain their Twitter page and whatever image users decide is appropriate based on their page content.